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EXAMINER

SAINT CYR, JEAN D

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/698,349	<b>Applicant(s)</b> TECOT ET AL.	
	<b>Examiner</b> JEAN D. SAINT CYR	<b>Art Unit</b> 2425	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 October 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Response to Amendment**

This action is in response to applicant's amendment filed on 10/28/2008. Claims 27-62 are still pending in the current application. **This action is made FINAL.**

### **Response to Arguments**

Applicant's arguments with respect to claims 27-62 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that Vallone et al did not disclose a system where a user can bookmark a content from one location and watch the bookmarked content from another location because the system of Vallone store the bookmarked content in the hard drive of the set top box, not in the network.

However, McGee et al disclose Bookmarks in accordance with the invention can be backed up to a remote device, such as a PDA or other computerized storage device; the bookmarks can be accessed through web pages, mobile communication devices, PDAs, watches and other electronic devices. a viewer could scroll through a series of video bookmarks until the desired scene is located and go directly to the scene or to the beginning of the work. A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table. Users could then download the bookmarks at a remote location at their election. Users could then use the bookmarks to identify the original item of content from which the bookmark was created. Finally, McGee et al disclose a user interface for displaying information related to bookmarked frames. As a result, this action is made final.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 27-30, 32-49, 51-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone in view of McGee 7143353.

Re claim 27, Vallone et al disclose a processor-readable medium having(see fig.1, element 105, hard disk) processor- executable instructions that, when executed by a processor(see fig.1, element 106, CPU), performs a method comprising:

receiving a manual user interaction (other methods such as manual selection can be used, col.17, lines 23-25) based upon the UI that indicates that the user selects a bookmarked multimedia program for resumption of presentation from the point of the bookmark(The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50); requesting(issue an action request, col.12, line 30) that a communicatively coupled multimedia server stream (see fig.7, element 710, hard disk) to the multimedia presentation system the selected bookmarked multimedia program from the point of the bookmark; presenting the selected bookmarked multimedia program from the point of the bookmark(The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50).

But Vallone did not disclose presenting a user interface on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus.

However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage

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device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

Re claim 28, Vallone et al disclose wherein the UI comprises a listing of some or all of the bookmarks (The viewer interface 1503 commands the Media Control 1501 to display programs with start frames corresponding to the preference file bookmarks, , col.17, lines 11-13) associated with a particular multimedia program(Multiple bookmarks for a program are transparent to the user because the remote control that the user uses tells the system to only display and activate that particular user's bookmarks, col.17, lines 24-27), and the manual user interaction comprises a manual selection of one of the listed programs(The user moves the highlight bar over the channel that he is interested in and a description of the current program that is showing on the channel is displayed, col.2, lines 27-29; that means a manual interaction).

Re claim 29, Vallone et al wherein the UI comprises a listing of some or all of the bookmarks (The viewer interface 1503 commands the Media Control 1501 to display programs with start frames corresponding to the preference file bookmarks, col.17, lines 11-13) associated with a particular multimedia program and, wherein, the bookmarks are listed based upon one or more properties associated therewith (the genre that the program is in, col.23, lines 25-26; that means category of the program).

Re claim 30, Vallone et al disclose wherein the UI comprises a listing of some or all of the bookmarks associated with a particular multimedia program and, wherein, the bookmarks are listed based upon one or more properties associated therewith; the properties are selected from a group consisting of:

- identity of the multimedia content;

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- relative point of bookmark during the presentation; • most recently bookmarked multimedia programs; • category of multimedia content bookmarked;
- locus of system where the presentation was bookmarked;
- identity of user who manually bookmarked the presentation(Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means the user was identified); • chronological time of the bookmark generating; • chronological date of the bookmark generating;
- relative time during the presentation where the presentation was bookmarked.

Re claim 32, Vallone et al disclose wherein the UI comprises a listing of some or all broadcast media programs that have one or more bookmarks (viewer interface 1503 commands the Media Control 1501 to display programs with start frames corresponding to the preference file bookmarks, col.17, lines 11-13; an indicator 1708 on the screen, indicating that a bookmark has been saved, col.16, lines 46-48; that means at least one bookmarked program was listed in the screen).

Re claim 33, Vallone et al disclose wherein the UI comprises a listing of broadcast media programs available (Below the time display is the listing of the channels available to the user, col.2, lines 24-25) with indicative indicia corresponding with broadcast media programs that have one or more bookmarks (see fig.17, element 1708, bookmark indicator; places an indicator 1708 on the screen, indicating that a bookmark has been saved, col.16, lines 46-48).

Re claim 34, Vallone et al disclose wherein the UI comprises a grid listing(see fig.28, grid) of broadcast media programs available with indicative indicia corresponding with broadcast media programs that have one or more bookmarks(see fig.17, element

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1708, bookmark indicator; places an indicator 1708 on the screen, indicating that a bookmark has been saved, col.16, lines 46-48).

Re claim 35, Vallone et al disclose wherein the UI comprises a listing of broadcast media programs available with indicative indicia corresponding with broadcast media programs that have one or more bookmarks, wherein the appearances of the indicia vary to indicate differences in one or more properties associated with bookmarked broadcast media programs (index or bookmark indicators are displayed over the trick play bar. These marks appear as, for example, a vertical bar that is colored, flagged, or labeled uniquely giving the user visual cues that an index or bookmark exists in that position, col.21, lines 11-15; that means there are different appearances).

Re claim 36, see rejection on claim 27.

Re claim 37, Vallone et al disclose a means for receiving a manual user interaction (other methods such as manual selection can be used, col.17, lines 23-25) based upon the UI that indicates that the user selects a bookmarked multimedia program for resumption of presentation from the point of the bookmark (The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, Col.16, lines 49-50);

a means for requesting (issue an action request, col.12, line 30) that a communicatively coupled multimedia server stream to the system multimedia presentation the selected bookmarked multimedia program from the point of the bookmark; a means for presenting the selected bookmarked multimedia program from the point of the bookmark (The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50).

But Vallone did not disclose a means for presenting a user interface on a multimedia presentation system at first locus, wherein the UI comprises a display are listing a bookmark bookmarked at a second locus different from the first locus.

However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

Re claim 38, Vallone et al disclose receiving a user interaction based(other methods such as manual selection can be used, col.17, lines 23-25) upon the UI that indicates that the user selects the bookmarked multimedia program for resumption of presentation from the point of the bookmark(user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, Col.16, lines 49-50; requesting (issue an action request, col.12, line 30) for a communicatively coupled multimedia server(see fig.7, element 710, hard disk )to stream to the system multimedia presentation the selected bookmarked multimedia program from the point of the bookmark;

presenting the selected bookmarked multimedia program from the point of the bookmark (user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50).

But Vallone did not disclose presenting a user interface on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus.



However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

Re claim 39, Vallone et al disclose wherein the UI comprises a listing of some or all of the bookmarks (The viewer interface 1503 commands the Media Control 1501 to display programs with start frames corresponding to the preference file bookmarks, , col.17, lines 11-13) associated with a particular multimedia program(Multiple bookmarks for a program are transparent to the user because the remote control that the user uses tells the system to only display and activate that particular user's bookmarks, col.17, lines 24-27), and the manual user interaction comprises a manual selection of one of the listed programs(The user moves the highlight bar over the channel that he is interested in and a description of the current program that is showing on the channel is displayed, col.2, lines 27-29; that means a manual interaction).

Re claim 40, Vallone et al wherein the UI comprises a listing of some or all of the bookmarks (The viewer interface 1503 commands the Media Control 1501 to display programs with start frames corresponding to the preference file bookmarks, col.17, lines 11-13) associated with a particular multimedia program and, wherein, the bookmarks are listed based upon one or more properties associated therewith (the genre that the program is in, col.23, lines 25-26; that means category of the program).

Re claim 41, Vallone et al disclose wherein the UI comprises a listing of some or all of the bookmarks associated with a particular multimedia program and, wherein, the bookmarks are listed based upon one or more properties associated therewith; the properties are selected from a group consisting of:

- identity of the multimedia content;
- relative point of bookmark during the presentation; • most recently bookmarked multimedia programs; • category of multimedia content bookmarked;
- locus of system where the presentation was bookmarked;
- identity of user who manually bookmarked the presentation(Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means the user was identified); • chronological time of the bookmark generating; • chronological date of the bookmark generating;
- relative time during the presentation where the presentation was bookmarked.

Re claim 42, Vallone et al disclose wherein the UI comprises a grid listing(see fig.28, grid) of broadcast media programs available with indicative indicia corresponding with broadcast media programs that have one or more bookmarks(see fig.17, element 1708, bookmark indicator; places an indicator 1708 on the screen, indicating that a bookmark has been saved, Col.16, lines 46-48).

Re claim 43, Vallone et al disclose wherein the UI comprises a listing of broadcast media programs available with indicative indicia corresponding with broadcast media programs that have one or more bookmarks, wherein the appearances of the indicia vary to indicate differences in one or more properties associated with bookmarked broadcast media programs (index or bookmark indicators are displayed over the trick play bar. These marks appear as, for example, a vertical bar that is colored, flagged, or

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labeled uniquely giving the user visual cues that an index or bookmark exists in that position, col.21, lines 11-15; that means there are different appearances).

Re claim 44, Vallone et al disclose a multimedia presentation system which is configured to be communicatively coupled to at least one multimedia server(see fig.7, element 710, hard disk), the presentation system comprising:  
a multimedia rendering unit configured to present multimedia content and one or more user interfaces(see fig.7, audio video on-screen display) ; and  
a computing unit configured to communicate with a multimedia server over the network and further configured to generate a UI for presentation on the presentation device(see fig.7, element 713, CPU).

But Vallone did not explicitly disclose the UI for presentation on the presentation device comprising a first display area being at the first locus and listing bookmarks, each one being associated with one or more multimedia programs and being bookmarked at a locus different from the first locus.

However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

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Re claim 45, Vallone et al disclose further comprising a user-interface control panel configured to receive user input (see fig.2, input module) action that triggers generation of a bookmark; such action is selected from a group consisting of

- selection of another source of multimedia content(see fig.2, element 205, media switch);
- viewing a list of other sources of multimedia content;
- manually pressing "pause" key(the user presses pause, col.10, line 65)
- manually pressing "bookmark" key; and
- manually pressing another pre-defined key or choosing a pre- defined option.

Re claim 46, Vallone et al disclose wherein the properties associated with the bookmark are selected from a group consisting of:

- identity of the multimedia content;
- multimedia programs; ° category of multimedia content bookmarked;
- locus of system where the presentation was bookmarked;
- ° identity of user who manually bookmarked the presentation (Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means the user was identified); ° chronological time of the bookmark generating; ° chronological date of the bookmark generating;
- ° relative time during the presentation where the presentation was bookmarked.

Re claim 47, Vallone et al disclose processor-readable medium having (see fig.1, element 105, hard disk ) processor- executable instructions that, when executed by a processor(see fig.1, element 106, CPU), performs a method comprising: presenting a user interface(see fig.1, element 103, output module; Output Section's 103 OSD generator allows the program logic to overlay text and graphics on top of the resulting analog TV signal, col.14, lines 28-30 ) on a multimedia presentation system at

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(The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50) a resume location ("resume-locus system") that allows a user to select when to resume presentation of a multimedia program from a point of a bookmark that occurred at another location within a network of communicatively coupled multimedia presentation systems; where the graphic user interface comprises: a first display of different locations where the selected bookmarked multimedia program can be assumed, a second display of at least one of different bookmarks with the selected bookmarked multimedia program and a third display of the bookmarked multimedia program with icon(see fig.26 where icon representing each bookmark is displayed);

receiving a manual user interaction(other methods such as manual selection can be used, col.17, lines 23-25) that indicates that the user would like to resume; requesting that a communicatively coupled multimedia server stream, to the resume-locus system, the selected bookmarked multimedia program from the point of the bookmark , presenting the selected bookmarked multimedia program from the point of the bookmark and doing so at the resume-locus system(The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, Col.16, lines 49-50).

But Vallone et al did not explicitly disclose a resume location that allows a user to select when to resume presentation of a multimedia program from a point of a bookmark that occurred at another location within a network of communicatively coupled multimedia presentation systems.

In an analogous art, McGee et al disclose a resume location that allows a user to select when to resume presentation of a multimedia program from a point of a bookmark that occurred at another location within a network of communicatively coupled multimedia presentation systems(Indices of segments can be reviewed from remote locations, such as via the internet or world wide web and videos can be selected

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by searching through such an index, col.2, lines 29-31; Users could then download the bookmarks at a remote location at their election. Users could then use the bookmarks to identify the original item of content from which the bookmark was created, col.4, lines 40-44).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to implement disclose a resume location that allows a user to select when to resume presentation of a multimedia program from a point of a bookmark that occurred at another location within a network of communicatively coupled multimedia presentation systems into the system of Vallone for the purpose of allowing to get access to their bookmarked content from anywhere.

Re claim 48, Vallone et al disclose a multimedia presentation unit (see fig.1, TV); a medium as recited in claim 47(see rejection on claim 47).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to bookmark content from one locus and watch that content to another location.

Re claim 49, Vallone et al disclose a processor-readable medium having(see fig.1, element 105, hard disk )processor- executable instructions that, when executed by a processor(see fig.1, element 106, CPU), produces a user interface of multimedia presentation system(see fig.1, element 103, output module; Output Section's 103 OSD generator allows the program logic to overlay text and graphics on top of the resulting analog TV signal, col.14, lines 28-30), the UI comprising:  
an executable process(see fig.1, element 106), that is configured to stream a request for a multimedia program when its associated listing is selected(see fig.1, switch media); this request is sent to a communicatively coupled multimedia server(see fig.1, hard disk) and asks the server to stream the multimedia program associated with the

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bookmark of the selected listing from the point of that bookmark(The user can, at any time, access any of his bookmarks and continue viewing the program from the bookmark, col.16, lines 49-50).

But Vallone did not explicitly disclose a first display area being at a first locus and listing bookmarks listing bookmarks, each one being associated with one or more multimedia programs and being bookmarked at a locus different from the first locus.

However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

Re claim 51, Vallone et al disclose wherein the bookmarks are listed in the first display area(see fig.17; an indicator 1708 on the screen, indicating that a bookmark has been saved.col.16, lines 46-48), based upon one or more properties associated therewith(Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means user is identified with the bookmark).

Re claim 52, Vallone et al disclose wherein the bookmarks are listed in the first display area, based upon one or more properties associated therewith; the properties are selected from a group consisting of:

- identity of the multimedia content;
- relative point of bookmark during the presentation; • most recently bookmarked multimedia programs; • category of multimedia content bookmarked;
- locus of system where the presentation was bookmarked;
- ° identity of user who manually bookmarked the presentation(Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means user is identified with the bookmark); ° chronological time of the bookmark generating; ° chronological date of the bookmark generating;
- ° relative time during the presentation where the presentation was bookmarked.

Re claim 53, see rejection on claim 49.

Re claim 54, Vallone et al disclose wherein programs listed in the first area are part of broadcast media transmissions(The program guide area is semi-transparent and overlays on the broadcast program material that the user is currently watching, col.2, lines 6-8 and see fig.28).

Re claim 55, Vallone et al disclose wherein the bookmarks of the programs listed in the first display area are chosen to be listed based upon one or more properties associated with the bookmarks or the programs (the genre that the program is in, col.23, lines 25-26).

Re claim 56, Vallone et al disclose wherein the bookmarks of the programs listed



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in the first display area are chosen to be listed based upon one or more properties associated with the bookmarks or the

programs; the properties are selected from a group consisting of:

- identity of the multimedia content;
- relative point of bookmark during the presentation; • most recently bookmarked multimedia programs; • category of multimedia content bookmarked;
- locus of system where the presentation was bookmarked;
- identity of user who manually bookmarked the presentation (Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means user is identified with the bookmark); • chronological time of the bookmark generating; • chronological date of the bookmark generating;
- relative time during the presentation where the presentation was bookmarked.

Re claim 57, see rejection on claim 49.

Re claim 58, Vallone et al disclose wherein a listing of broadcast multimedia programs in the first area is in a grid-like pattern based upon presentation schedule of such broadcast multimedia programs (see fig.28, grid of the schedule).

Re claim 59, Vallone et al disclose wherein the bookmarks of the programs listed in the first display area are chosen to be listed based upon one or more properties associated with the bookmarks or the programs (the genre that the program is in, col.23, lines 25-26).

Re claim 60, Vallone et al disclose wherein the bookmarks of the programs listed in the first display area are chosen to be listed based upon one or more properties

associated with the bookmarks or the programs (the genre that the program is in, col.23, lines 25-26).

; the properties are selected from a group consisting of:

- identity of the multimedia content;

- ° relative point of bookmark during the presentation;

- most recently bookmarked multimedia programs;

- category of multimedia content bookmarked;

- ° locus of system where the presentation was bookmarked;

- identity of user who manually bookmarked the presentation (Remote controls are encoded for a specific user in a household. This allows each person in the household to have a personal remote control. The advantage to having individual remote controls is that parental controls, personal preferences, and bookmarks are automatically activated when each remote control is used, col.16, lines 60-65; that means user is identified with the bookmark); ° chronological time of the bookmark generating; ° chronological date of the bookmark generating;

- relative time during the presentation where the presentation was bookmarked.

Re claim 61, Vallone et al disclose wherein broadcast multimedia programs are received via one or more broadcast media transmissions which are selected from a group consisting of incoming live television broadcast(watching live television, col.19, line 50), incoming live cable television signal, incoming live satellite signal, incoming live video-on-demand signal, and incoming live pay-per-view signal.

Re claim 62, Vallone et al disclose a "bookmarked" multimedia program(a bookmark function that allows the user to bookmark a program where he left off, col.16, lines 36-36), which is a multimedia program having one or more bookmarks associated with it(Multiple bookmarks for a program, col.17, line 24), where such bookmarks are indicative of a resumption point for presentation of the program(place bookmarks within the program to mark points of interest, col.16, line 43), generated in accordance with the following acts: providing a server computer in a communications with a communications

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network(see fig.1, hard disk); receiving input from a client computer by way of the communications network(FIG. 1, a preferred embodiment of the invention provides a viewer interface that allows the viewer to access different functions of the system, col.14, lines 3-5), the input providing a parameter indicative of a request for a "bookmarked" multimedia program bookmarked at a first locus and of one or more bookmarks;

retrieving a selected data from a database(viewer interface program logic commands the Media Switch 102 to retrieve a video loopset from the storage device 105, col.14, lines 16-18).

But Vallone did not explicitly disclose wherein the data is selected based upon the parameter provided by the user input; and presenting the "bookmarked" multimedia program as a function of the selected data at a second locus different from the first locus.

However, McGee et al disclose presenting a user interface ( user interface, col.14, lines 55-58) on a multimedia presentation system at first locus, wherein the UI comprises a display area listing a bookmark bookmarked at a second locus different from the first locus(A user might store the bookmarks on a PDA, server or other storage device. This can act as a look up table, col.3, lines 60-63; that means the look up table contains information related to all locations).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Vallone with the invention of McGee for the benefit of allowing users to see data of bookmarked contents from different locations in one table.

Claims 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone in view of McGee further in view of Novak et al, US No. 20030126599.

Re claim 31, Vallone et al did not explicitly disclose wherein the UI graphically illustrates one or more of the following:

- identity of one or more bookmarked multimedia program;
- relative point of bookmark during presentation of one or more bookmarked multimedia programs;
- most recently bookmarked multimedia programs; • category of one or more bookmarked multimedia programs;
- locus of system where one or more bookmarked multimedia programs were bookmarked;
- identity of user who manually bookmarked one or more bookmarked multimedia programs;
- chronological time of that one or more bookmarked multimedia programs were bookmarked,
- chronological date of that one or more bookmarked multimedia programs were bookmarked;
- relative time of that one or more bookmarked multimedia programs were bookmarked;
- graphical depiction of relative time of that one or more bookmarked multimedia programs were bookmarked.

In an analogous art, Novak et al disclose wherein the UI graphically (The GUI may be displayed on an associated television 104 , 0096) illustrates one or more of the following:

- identity of one or more bookmarked multimedia program;
- relative point of bookmark during presentation of one or more bookmarked multimedia programs;
- most recently bookmarked multimedia programs; • category of one or more bookmarked multimedia programs(presentation component 714 may be embodied as a hardware or software component configured to display the type of media program in

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question, 0104);

- locus of system where one or more bookmarked multimedia programs were bookmarked;
- identity of user who manually bookmarked one or more bookmarked multimedia programs;
- chronological time of that one or more bookmarked multimedia programs were bookmarked(a bookmark 406 may include a time index of "00:30:25", which may indicate a point in time that is 30 minutes and 25 seconds from the beginning of the media program, 0078),
- chronological date of that one or more bookmarked multimedia programs were bookmarked;
- relative time of that one or more bookmarked multimedia programs were bookmarked;
- graphical depiction of relative time of that one or more bookmarked multimedia programs were bookmarked.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce GUI and time where multimedia program was bookmarked into the system of Vallone in view of McGee, as taught by Novak, for the benefit of making the system usable and more accurate.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vallone et al in view of McGee further in view of Swenson et al, US No. 6064380.

Re claim 50, Vallone et al did not explicitly disclose the UI further comprising a second display area indicating a particular multimedia program associated with all of the bookmarks listed in the first area.

However, Swenson et al disclose the UI further comprising a second display area indicating a particular multimedia program associated with all of the bookmarks

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listed in the first area (see fig.3; The saved "Title", along with other and previously saved files and file segments, may be listed in the "Multimedia Files" section of the screen display as in a typical "bookmark" function. A user may select one of the multimedia files from the "Multimedia Files" screen area to initiate the playing of the selected multimedia file from the previously saved position at which the file was last terminated, col.5, lines 17-24).

In view of the teaching of Swenson, it would have been obvious for any person of ordinary skill in the art at that time the invention was made to implement the UI further comprising a second display area indicating a particular multimedia program associated with all of the bookmarks listed in the first area into the system of Vallone in view of McGee for purpose users to have a second display screen for listing program associated with all of the bookmarks listed in the first area.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcy whose phone number is 571-270-

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3224. The examiner can normally reach on M-F 7:30-5:00 PM EST. If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr /

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425

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